

§ 164.51

“registered length” as defined in 46 CFR part 69. “Gross tonnage” refers to tonnage as defined under the International Convention on Tonnage Measurement of Ships, 1969.

(b) The requirements for Vessel Bridge-to-Bridge radiotelephones in §§ 26.04(a) and (c), 26.05, 26.06 and 26.07 of this chapter also apply to AIS. The term “effective operating condition” used in § 26.06 of this chapter includes accurate input and upkeep of AIS data fields.

(c) The use of a portable AIS is permissible only to the extent that electromagnetic interference does not affect the proper function of existing navigation and communication equipment on board and such that only one AIS unit may be in operation at any one time.

(d) The AIS Pilot Plug, on each vessel over 1,600 gross tons on an international voyage, must be available for pilot use, easily accessible from the primary conning position of the vessel, and near a 120 Volt, AC power, 3-prong receptacle.

[USCG–2003–14757, 68 FR 60569, Oct. 22, 2003]

§ 164.51 Deviations from rules: Emergency.

Except for the requirements of § 164.53(b), in an emergency, any person may deviate from any rule in this part to the extent necessary to avoid endangering persons, property, or the environment.

[CGD 74–77, 42 FR 5956, Jan. 31, 1977]

§ 164.53 Deviations from rules and reporting: Non-operating equipment.

(a) If during a voyage any equipment required by this part stops operating properly, the person directing the movement of the vessel may continue to the next port of call, subject to the directions of the District Commander or the Captain of the Port, as provided by part 160 of this chapter.

(b) If the vessel’s radar, radio navigation receivers, gyrocompass, echo depth sounding device, or primary steering gear stops operating properly, the person directing the movement of the vessel must report or cause to be reported that it is not operating properly to the nearest Captain of the Port, District Commander, or, if partici-

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pating in a Vessel Traffic Service, to the Vessel Traffic Center, as soon as possible.

(Sec. 2, Pub. L. 95–474, 92 Stat. 1471 (33 U.S.C. 1221); 49 CFR 1.46(n)(4))

[CGD 74–77, 42 FR 5956, Jan. 31, 1977]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 164.53, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 164.55 Deviations from rules: Continuing operation or period of time.

The Captain of the Port, upon written application, may authorize a deviation from any rule in this part if he determines that the deviation does not impair the safe navigation of the vessel under anticipated conditions and will not result in a violation of the rules for preventing collisions at sea. The authorization may be issued for vessels operating in the waters under the jurisdiction of the Captain of the Port for any continuing operation or period of time the Captain of the Port specifies.

[CGD 74–77, 42 FR 5956, Jan. 31, 1977]

§ 164.61 Marine casualty reporting and record retention.

When a vessel is involved in a marine casualty as defined in 46 CFR 4.03–1, the master or person in charge of the vessel shall:

(a) Ensure compliance with 46 CFR Subpart 4.05, “Notice of Marine Casualty and Voyage Records;” and

(b) Ensure that the voyage records required by 46 CFR 4.05–15 are retained for:

(1) 30 days after the casualty if the vessel remains in the navigable waters of the United States; or

(2) 30 days after the return of the vessel to a United States port if the vessel departs the navigable waters of the United States within 30 days after the marine casualty.

[CGD 74–77, 42 FR 5956, Jan. 31, 1977]

§ 164.70 Definitions.

For purposes of §§ 164.72 through 164.82, the term—

Current edition means the most recent published version of a publication, chart, or map required by § 164.72.